IN RE: PETITION FOR ADMIN, VARIANCE

E/S of W. Woodwell Road, 71.5 ft. N Of the c/l of Lombardy Drive 2502 W. Woodwell Road 12<sup>th</sup> Election District 7<sup>th</sup> Councilmanic District Kenneth M. Warlick, et al Petitioners \* BEFORE THE

\* ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* CASE NO. 99-274-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Kenneth M. Warlick and David Warlick, property owners, for that property known as 2502 W. Woodwell Road in the Dundalk section of eastern Baltimore County. The Petitioners herein seek a variance from Section 1B01.2.C.b. of the Baltimore County Zoning Regulations (BCZR) to allow a rear yard setback of 22.5 ft. in lieu of the required 30ft. for an addition, in a D.R.5.5 zone. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this Andrew day of February 1999 that the Petition for an Administrative Variance from Section 1B01.2.C,b. of the Baltimore County Zoning Regulations (BCZR) to allow a rear



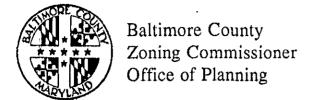
yard setback of 22.5 ft., in lieu of the required 30ft., for an addition, in a D.R.5.5 zone, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR

BALTIMORE COUNTY LES:mmn





Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

February 23, 1999

Mr. Kenneth M. Warlick Mr. David Warlick 2502 West Woodwell Road Baltimore, Maryland 21222

RE: Petition for an Administrative Variance

Case No. 99-274-A

Location: 2502 West Woodwell Road

#### Dear Messrs Warlick:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an Appeal, please feel free to contact our Appeals Clerk at AC-410-887-3391.

Very truly yours,

Lawrence E. Schmidt

Zoning Commissioner

LES:mmn Encl.



## Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

~~	مستقلة		for the proper		2502WW		
				which	is presently zon	ed <u>D. (</u>	2.5.5
owner(s)	) of the prope	ertv situate in Bal	Department of Perr timore County and wh r a Variance from Sec	nich is described	pment Management in the description and the de	and plat attach	ned hereto and
rear	yard	setback	of 22.5				
30	L+.						
	oning regulat etition form.	ions of Baltimore	County, to the zoning	law of Baltimore	County, for the rea	asons indicate	ed on the back
I, or we, a	agree to pay e	expenses of above	ed as prescribed by the Variance, advertising, p County adopted pursuan	osting, etc. and fu	rther agree to and ar	e to be bounde /.	ed by the zoning
				perjury, that	emnly declare and at t I/we are the legal ov ct of this Petition.	firm, under the wner(s) of the p	penalties of property which
Contra	ct Purchas	er/Lessee:		Legal Ov		Uarlick	
	pe or Print			Name - Type		worle	ele
Signature				Signature	Wholish		
Address			Telephone No.	Name - Type	or Print Warlick	David	Warlick
City		State	Zip Code	Signature	W-Wood wel	101 4	0 284 042
Attorne	ey For Peti	tioner:		Address Bolto	W- WOOD WEI	1	Telephone No.
Name - Ty	pe or Print	, , , , , , , , , , , , , , , , , , ,	4 4 4 4 4	City	-	State	Zip Code
Signature			<del></del>	Represer	ntative to be Cor	ıtacted:	(
			,	Kenr	odh M	Warlic	K 200 m
Company				Name 2502	W. Woodur	118d 41	0-350-464
Address			Telephone No.	Address	) Mc	( .	Telephone No.
City		State	Zip Code	City C	) //(	State	Zip Code
this c	dav of	g been formally den	nanded and/or found to be that the subject matter of operty be reposted.	pe required, it is or f this petition be set t	dered by the Zoning C or a public hearing, adv	ommissioner of I /ertised, as requi	Baltimore County, ired by the zoning
				Zor	ning Commissioner of B	laltimore County	
CASE	NO	99-274-	<u>A</u> Re	eviewed By/	3h Da	te <u>1/19</u>	199
REV 9/15/	98		Es	stimated Posting	) Date	1/99	,

# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	2502	W-Wax	well Rd		
	Address Balto		Md	21222	
That based upon personal knowledge, the follow Variance at the above address (indicate hardship	wing are the p or practical	facts upon whi	State ich I/we base th	e request for an A	Zip Code dministrative
1.) Need more living s	pace				
2) Already refinanced h purpose of addition	3	for			
3) Spent \$2200 for re of basement entra	elocation				
4) Need to make our pleasing and compatnieghbors houses					
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	mal demand	is filed, Affia	nt(s) will be red	quired to pay a re	posting and
Bennett M Warl	ul	Da	ved l	Varlich	
Kenneth M War lick Name - Type or Print	<del></del>	Signature Name - Type	War	lick	· · · · · · · · · · · · · · · · · · ·
STATE OF MARYLAND, COUNTY OF BALTIM	 ORE, to wit:			_ ~ <b>~ ~</b>	~
I HEREBY CERTIFY, thisday of of Maryland, in and for the County aforesaid, pers	Dece	mber, jo	<u>૧<b>વ જ</b></u> , before m	e, a Notary Public	of the State
the Affiant(s) herein, personally known or satisfa			URE WARL		des forms of
law that the matters and facts hereinabove set for	rth are true a	nd correct to the	ne best of his/he	r/their knowledge a	nd belief.
AS WITNESS my hand and Notarial Seal				•	
Date  12-7-98  Date  REV 09 15 98  REV 09 15 98  Relitioner Country Relitions Countr		Herbert	Leilenkinc	ken	
Date	Nota	iry Public		10 - ( -2000	
REU 09/15/98  Herbert Geilenkirchen, Baltimore Cou- State of Maryl My Commission Expire	and	JUMINISSION EX	thites	4	

MOTARN

# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

	City	State	-1222
That based upon personal knowledge, the fo Variance at the above address (indicate hards	llowing are the facts upon		Zip Code request for an Administrative
1) Need more living sp	<b>SACE</b>		
2) Already refinanced in purpose of addition	house for		
3) Spent \$ 2200 for 10 of basement entre			
4) Need to make our pleasing and con			
nieghbors houses.			
That the Affiant(s) acknowledge(s) that if a advertising fee and may be required to provide	formal demand is filed, and additional information.	Affiant(s) will be requ	ired to pay a reposting and
Kenneth M. Warlick Signature Name Type or Print	acle Signatur	vid Warl re re re ry Type or Print	rlick
STATE OF MARYLAND, COUNTY OF BALT	IMORE, to wit:		
I HEREBY CERTIFY, this $2^{7^{++}}$ day of $5^{-}$ of Maryland, in and for the County aforesaid, p			, a Notary Public of the State
the Afflant(s) herein, personally known or sat law that the matters and facts hereinabove set	isfactorily identified to me	as such Affiant(s), ar to the best of his/her/	nd made oath in due form of
AS WITNESS my hand and Notarial Seal		α. Α	
12-7-98 Date	Herber Notary Public	t Heilenkin	hen
	My Commissio chen, Notary Public e County Maryland	n Expires <u>(0 - t</u>	-2000



REV 9/15/98

## Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

	ιο ι	ne zoning	5 Commission		County
		for the prope	rty located at2S		
			which is pre	esently zoned	12,5,5
owner(s) of the pro	I be filed with the Depute perty situate in Baltimo for a V	re County and w	mits and Development	Management. The undescription and plat atta	idersigned, legal ched hereto and
			1301, 2	.c. 6 to pe	rmit a
tear yard	setback of	22.5 -	Ct. in lieu	e of the	required
30 ft.					
of the zoning regula of this petition form		nty, to the zonin	g law of Baltimore Count	y, for the reasons indica	ated on the back
I, or we, agree to pay	osted and advertised as y expenses of above Varia ictions of Baltimore Count	ance, advertising,	ne zoning regulations. posting, etc. and further ag nt to the zoning law for Ball	ree to and are to be boun imore County.	ded by the zoning
			I/We do solemnly d perjury, that I/we ar is the subject of this	eclare and affirm, under the e the legal owner(s) of the s Petition.	ne penalties of property which
Contract Purcha	nser/Lessee:		Legal Owner(s	) <i>:</i>	
Name - Type or Print			Penneth Name - Type or Bynt	M Warlie	. 6
Signature			Signature	la l'al	
Address		Telephone No.	Name - Type on Print	Wholick	
City	State	Zip Code	Signature	3 000 000	10 284 0429
Attorney For Per	titioner:		Address	boduell 'Rd	Telephone No.
Name - Type or Print			Baltimors	E Md State	ALDAD Zip Code
Signature	···		Representative	to be Contacted:	,
Company			Name Name	M Warrick	40 284 0429
Address		Telephone No.	Address Roll	md	160 358 - 4648년 Telephone No.
City	State	Zip Code	City	State	Zip Code
his day of	ng been formally demand that County and that the property	the subject matter of	be required, it is ordered by of this petition be set for a pub	the Zoning Commissioner of lic hearing, advertised, as rec	f Baltimore County, juired by the zoning
			Zoning Con	missioner of Baltimore Count	ly
CASE NO.	99-274-A	đ	eviewed By BR	Date ///	9/94

Estimated Posting Date \_\_\_\_

## ZONING DESCRIPTION FOR 2502 W. WOODWELL ROAL

Beginning at a point on the east side of W. Woodwell Road which is 55 feet wide at the distance of 71.5' north of the center line of the nearest improved inter-secting street, Lombardy Drive, which is 24 feet wide. Being lot # 99 in the subdivision of Gray Manor II as recorded in Baltimore County Plat Book #13, Folio #34, containing 4,905 square feet. Also known as 2502 W. Woodwell Road and located in the 12th election district, 7th councilmanic district.

99-274-A

#### **CERTIFICATE OF POSTING**

RE: CASE # 99-274-A
PETITIONER/DEVELOPER:
(Kenneth Warlick)
DATE OF CLOSING
(Feb. 16 1999)

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Ave. Towson, Maryland 21204

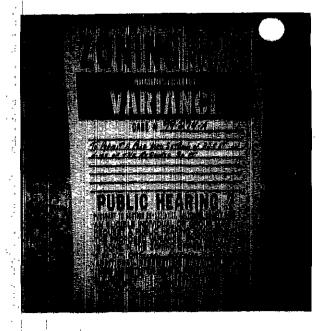
ATTENTION: MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 2502 Woodwell Road Baltimore, Maryland 21222\_\_\_\_\_\_

The sign(s) were posted on \_\_\_\_\_ 1-29-99 \_\_\_\_

Month, Day, Year)



Sincerely,  (Signature of Sign Poster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405(Telephone Number)

f	OUS RECEIP	T _ ACCOUNT(\$\sqrt{600}/	6/50	84 - 1850 1 CASH	ACTUAL TIME 1/13/1999 15/23:59 DER CLUN CAL DRAWER
,	,	AMOUNT \$ 5	<u>ა, ი ა</u>	kiceipt # CL NO. 052362	ius cash repetit 085979 uh 50.00 cigit
CEIVED		rlick		— Daltimon	re County. Maryland
R: <u> </u>	1 0/0	Admin.	Variance	D.274.	R

#### **ZONING REVIEW**

#### **ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 99- 274 -A Address 2502w. Woodwell Rd.
Contact Person: <u>Bruno Rudaitis</u> Phone Number: 410-887-3391 Planner, Please Print Your Name
Filing Date: 1/31/99 Closing Date: 2/15/99
Any contact made with this office regarding the status of the administrative variance should be hrough the contact person (planner) using the case number.
POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. <b>DEADLINE:</b> The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 99- 274 -A Address 2502W, Woodwell Rd.
Petitioner's Name K. Warlick Telephone 410-284-0429
Posting Date: 1/3//99 Closing Date: 2/15/99
Nording for Sign: To Permit a rear yard setback of 22.5 ft.
in lieu of the required 30 ft.
' — — + + + + + + + + + + + + + + + +



Baltimore County
Department of Permits and
Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

#### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

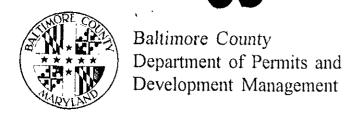
ARNOLD JABLON, DIRECTOR
For newspaper advertising:
Item No.: 274
Petitioner: Kenneth Warlick
Location: 2502 W. Woodwell Rd
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Kenneth Warlick
ADDRESS: 2502 W. Woodwell Rd
Balto. Md. 21222
PHONE NUMBER: 410 284 0429

AJ:ggs

99-274-A

(Revised 09/24/96)

#274



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

February 16, 1999

Mr. Kenneth M. Warlick 2502 W. Woodwell Road Baltimore, MD 21222

RE: Item No.: 274

Case No.: 99-274-A

Location: 2502 W. Woodwell Road

Dear Mr. Warlick:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on January 19, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards,

Zoning Supervisor Zoning Review

WCR: qgs

Enclosures



#### BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: 4-8-97

Permits and Development Management

FROM:

R. Bruce Seeley, Project Manager Rhyly

**DEPRM** 

SUBJECT:

Zoning Advisory Committee

Distribution Meeting Date: 2/1/99

The Department of Environmental Protection and Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

268

269

270

271

272

273



#### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: February 2, 1999

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

**SUBJECT:** Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):

Jeffry W Long

Item No (s): 262, 265, 268, 269 (274) and 276

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

AFK/JL



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

January 28, 1999

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF February 1, 1999

Item No.: See Below Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the tinal plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

268, 269, 270, 271, 272, 273, 274, 275, 276, and 277

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marchal Office, PHONE 887-4881, MS-1102F

cc: File

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: February 10, 1999

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor
Bureau of Developer's Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for February 8, 1999

Item Nos. 268, 269 274 276, and 277

The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: 1.24.95

Baltimore County
Item No. 274

RE:

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

Dear. Ms Stephens:

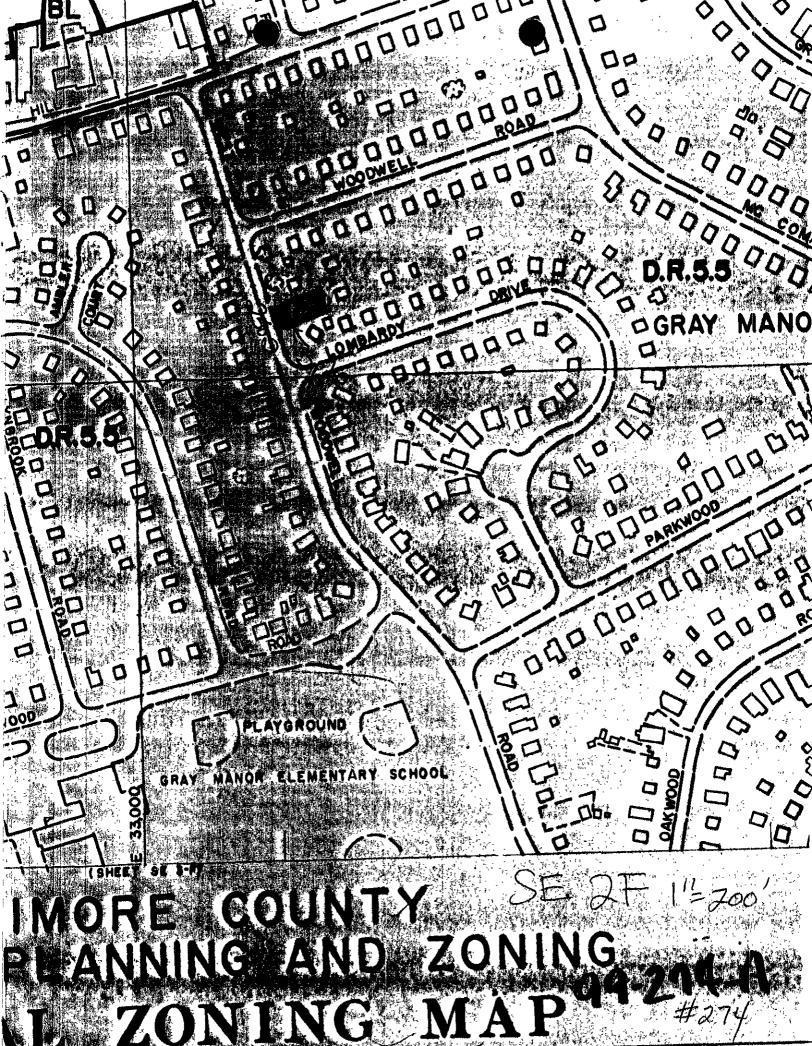
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Michael M. Lenhart, Acting Chief Engineering Access Permits Division

f. J. Doll



	<b>一种人</b>	<b>大型、標準</b>	機能	Market .	- A SA			- washing		PARTY.		All the	湖南北		2	66. 主	
prepared by: D, W	North		ians r	Part .	7	•	idis <b>t</b>		ı	`1:11'		317)	10 <b>5</b> )	113+ <b>(</b> *	OWNER KENAET	Subdivision name: Or A	Plat to accor
Scale o			44 COO 44 C	in propuedly DD	1 ""	97.5		TOE & SHARON SS TO	125/		STANLEY & SHARON	101-107)	<b>-</b> .	,	& DAVID W	Jost 49 sections	npan
of Drawing: 1"= <i>ら</i> ら				(55' R/N 30'	1 36°	PRONT 9 5.5 (101-98)	CN ST	40,5	1		MALER	(LOT- 97)			artick	[	for Z
	, <del>,</del>			DAVING)	नार्ह्भ के	98			,	,				\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	) - -		oning Variance
Sh 274	Zoning Office Us	Prior Zoning Hearings:	Chesapeake Bay Critical Area:		, ,	Lot size: O. Lot s	1'=200' scale map#: \C	Councilmanic District:	LOCATION INFORMATION	North Scale: 1'=1000			e co	O TO	CERTAIN THE	, ep	riance Special Hearing
99-274-A	Office USE ONLY!	2 m	Area:	WATER:	ewer:	4905 square feet	দ থ শ	4	ORMATION	'=1000'			/	* A second secon		2\	Hearing

